

UNITED STATES

§

v.

§

CASE# 1:08-CR-00218

CARLOS CEGLEDI

§

§

**FILED**  
HARRISBURG, PA

SEP 24 2015

**MOTION FOR CLARIFICATION OF RECORD**

MARIA E. ELKINS, CLERK

Comes now Carlos Cegledi Pro-Se, and request this Honorable Court for Clarification of record as to the P.S.R. and drug quantities that were incorrectly attributed to Mr. Cegledi, the reasons are stated within.

1) On the first week of September 2015, Mr. Cegledi became aware throughout his biyearly Institution Unit Team Evaluation, that the drug quantities reflecting in the Institution records were incorrect, and shows that Mr. Cegledi was charged with 23lbs. of purported methamphetamine and an additional 10lbs. of purported methamphetamine that was delivered by Cegledi's co-defendants Mr. Barrios and Mr. Ferrer on February 2008, and 100lbs. of marijuana that was delivered by co-defendant Mr. Ferrer on December 2007, as it's stated in the P.S.R. page 3 paragraph 11,12 and page 7 paragraph 31,32.

2) Apparently, the P.S.R. was transferred to the B.O.P. uncorrected and still reflecting the incorrect drug amounts on Mr. Cegledi record, because Mr. Cegledi was found guilty at trial for only 23lbs. of purported methamphetamine and not the quantities that were fed in to the P.S.R. by the U.S.P.O. Lory Baker.

3) On July 20, 2010, at sentencing, the Court Judge Sylvia H. Rambo, granted Cegledi's Attorney Mr. Bosch, the request that was filed with the Court in the sentencing Memorandum page 15,16,17,18, about those uncharged and unindicted drug quantities that were incorrectly attributed to Mr. Cegledi. Additionally, the Court Judge, ruled and made the proper corrections as to the P.S.R. (Exhibit "A" Sentencing transcripts page 11,12)

For all of the above reasons, Mr. Cegledi respectfully request this Honorable Court to enter an Order to clarify and correct the P.S.R. record as to those discrepancies mentioned above. Additionally, Mr. Cegledi request the Court to mail 2 additional copies of the Court Order to the Allenwood Low Security Correctional Institution, P.O. BOX. 1500, White Deer, PA. 17887, to the attention of records, and 1 copy to Mr. Cegledi at the same Institution.

Date: September 17, 2015

Respectfully Submitted



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Carlos Cegledi  
#16086-067  
Allenwood Low Security  
Correctional Institution  
p.o.box.1000  
White Deer, PA. 17887

**CERTIFICATE OF SERVICE**

I certify that on this 17 day of September 2015, I placed the original Motion for Clarification of Record on the Institution mail box, and was sent out by first class mail to the United States District Court for the Middle District of Pennsylvania, 228 Walnut street, Harrisburg, PA.17101.

Respectfully Submitted



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Carlos Cegledi  
#16086-067

Exhibit "A" 1

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IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA  
HARRISBURG DIVISION

UNITED STATES OF AMERICA : CASE NO.  
v. : 1:08-CR-218-1  
CARLOS CEGLEDI :

TRANSCRIPT OF PROCEEDINGS  
SENTENCING

BEFORE: HON. SYLVIA H. RAMBO  
DATE: July 20, 2010  
3:05 p.m.  
PLACE: Courtroom No. 3, 8th Floor  
Federal Building  
Harrisburg, Pennsylvania  
BY: Wendy C. Yinger, RPR, CRR  
U.S. Official Court Reporter

APPEARANCES:

CHRISTY H. FAWCETT, ESQUIRE  
Assistant United States Attorney  
For the United States of America

GUILLERMO L. BOSCH, ESQUIRE  
For the Defendant

Exhibit "A" 2

11

- 1 about Section 841. I don't believe, and I could be wrong about  
- 2 that, that there is an 846.

- 3 MS. FAWCETT: No, what it is saying is that, if there  
- 4 is fake drugs, it's not a delivery or a possession with intent  
- 5 to distribute drugs, it's a criminal attempt or a criminal  
- 6 conspiracy. And that is 846.

- 7 THE COURT: Okay. In regard to that argument, the  
- 8 Court adopts the Government's reasoning as set forth in its  
- 9 brief at page 18. It's not the Third Circuit, but there's at  
- 10 least some citation that a sentence for drug conspiracy may be  
- 11 based on fake drugs. Your next argument?

12 MR. BOSCH: Your Honor, that went as to the quantity  
13 being assembled against Mr. Cegledi. The specific objection  
14 was that -- actually, it comes in two parts. The first part is  
15 that part of the drug calculation against Mr. Cegledi in the  
16 PSR had to do with a quantity of marijuana which was testified  
17 -- first of all, he was not, in fact, charged. So all of this  
18 is uncharged quantities; the alleged delivery of marijuana in  
19 December of 2007 by Mr. Ferrer to Mr. Pagan, the alleged  
20 delivery of purported methamphetamine by Mr. Ferrer and Mr.  
21 Barrios to Mr. Pagan in January or in February.

- 22 The only connection as to those two, which again he  
- 23 was not charged with at all in the superseding indictment,  
- 24 second superseding indictment, the only testimony to that is  
- 25 that Mr. Pagan said on the stand that he was told that the

1 source of that is the Argentinean.

2 And that again was brought in as 404(b) testimony to  
3 show the propinquity. There is also an additional amount of  
4 one pound of methamphetamine that is added to Mr. Pagan.

- 5 THE COURT: I'm going to cut that short right now.  
- 6 That one pound, I've already discounted in a previous, and I  
- 7 will do the same here even though the Government has an  
- 8 objection to it.

9 MR. BOSCH: Your Honor, I was not aware that Your  
10 Honor has already ruled on that. But that was part of my  
11 argument. So what we are left with are the 23 pounds.

12 THE COURT: The uncharged quantity, I believe, the  
13 Government has adequately set forth in their response to the  
14 Defendant's objection. Do you want to place that on the record  
15 again?

- 16 MS. FAWCETT: Your Honor, the 100 pounds of  
- 17 marijuana, I think, is the quantity that's in dispute. Well,  
- 18 the 100 pounds of marijuana and the additional 10 kilos of  
- 19 methamphetamine are the two quantities that are in dispute at  
- 20 this point. And the testimony during trial was that in  
- 21 December of 2007, Ramon Ferrer delivered approximately a  
- 22 hundred pounds of marijuana to Pagan in Allentown.

23 There was testimony that at this point, Ramon Ferrer  
24 had cut off his ties with the Arizona-based drug organization,  
25 that was the source of some prior drugs, and he was now working

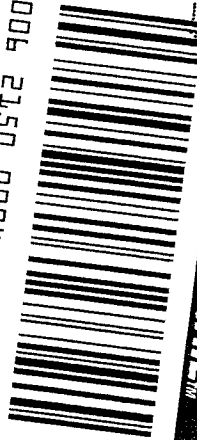
INMATE NAME/NUMBER: CARLOS CEGLEDI #16086-067  
FCC ALLENWOOD LOW SECURITY CORRECTIONAL INSTITUTION  
P.O. BOX 1000  
WHITE DEER, PA 17887

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16086-067

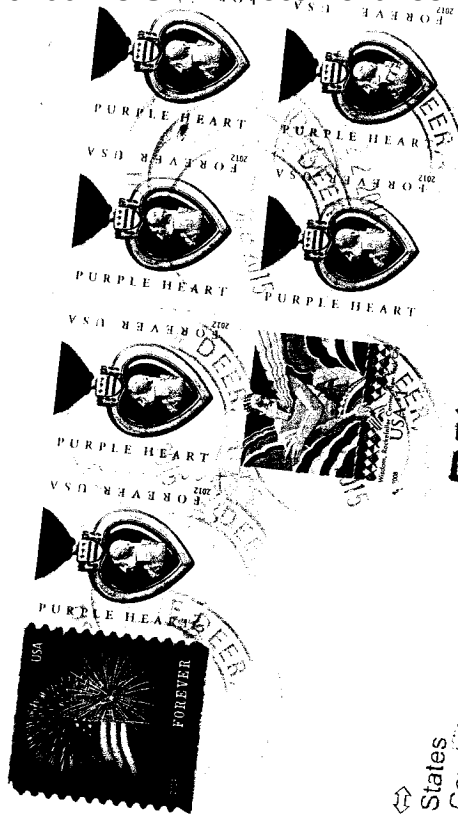
United States  
District Court-M. D. PA.  
228 Walnut st.  
Clerk of Court Office  
Harrisburg, PA 17108  
United States

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HARRISBURG, PA

SEP 24 2015

MARIA E. ELKIND, CLERK  
Per

